

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

PETER A. HOCHSTEIN, et al.,

Plaintiffs,

Case Number: 04-73071

v.

JUDGE PAUL D. BORMAN  
UNITED STATES DISTRICT COURT

MICROSOFT CORPORATION,

Defendant.

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**FIRST AMENDED ORDER OF APPOINTMENT AND REFERENCE TO RICHARD  
GRAUER AS SPECIAL MASTER PURSUANT TO FED. R. CIV. P. 53**

The initial order of appointment dated April 16, 2009 states in pertinent part that pursuant to Fed. R. Civ. P. 53, the parties have stipulated to the appointment of Richard Grauer as a special master with regard to “the disposition of Defendant’s Motion for Construction of Claim 39, and additional matters as requested.”

The Court is requesting the Special Master to assist with regard to:

- (1) other technical and patent law issues raised by pending in limine motions; and
- (2) any additional issues of claim construction.

SO ORDERED.

S/Paul D. Borman

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: June 5, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on June 5, 2009.

S/Denise Goodine

Case Manager